



RAVALLI COUNTY GROWTH POLICY

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RAVALLI COUNTY GROWTH POLICY

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RAVALLI COUNTY GROWTH POLICY

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Data for these maps has been generated and compiled from different sources and therefore may not exactly align. Maps are to be used as a general reference only.

Maps published herein have been reduced in scale from the originals; larger scale, color maps are incorporated herein by reference. Copies of larger scale, color maps are available for a fee at the Ravalli County Planning Department.

The Ravalli County Growth Policy, including the incorporated maps, covers the jurisdictional area of the County and does not cover the area within the incorporated boundaries of Hamilton, Darby, Pinesdale and Stevensville.

RAVALLI COUNTY GROWTH POLICY

SECTION 1: PURPOSE AND INTRODUCTION

As per 76-1-605 MCA 2(a): “A growth policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law. (b) A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.”

“All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment and the rights of pursuing life’s basic necessities, enjoying and defending their lives and liberties, acquiring, possessing and protecting property, and seeking their safety, health and happiness in all lawful ways. In enjoying these rights, all persons recognize corresponding responsibilities.”

Article II, Section 3, Montana Constitution.

“The state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations.”

Article IX, Section 1, Montana Constitution.

These statements serve as the primary foundation for the Ravalli County Growth Policy and for the County’s planning efforts in general. As the local level of government responsible for protecting public health, safety and welfare, Ravalli County is the appropriate agency for translating citizen goals into effective public policy consistent with the Montana Constitution.

As per 76-1-601 (2) MCA: “A growth policy must include the elements listed in subsection (3) by October 1, 2006. The extent to which a growth policy addresses the elements listed in subsection (3) is at the full discretion of the governing body.”

1.1: SCOPE

The challenge to manage growth in a responsible manner is very real.

The Ravalli County Growth Policy is designed to establish a comprehensive set of long-range goals and goal-related policies to guide future growth and development. It seeks to provide an increased level of predictability to land owners, neighbors and developers about where and how growth can be accommodated in ways that are compatible with fiscal and environmental concerns.

It is designed to guide growth toward areas where it is expected and where it can be accommodated. In that sense, it seeks to promote desired, sustainable growth.

As the name implies, the Growth Policy is an official statement of County policy and intentions concerning the review of future land development proposals, and the objectives of the County's provision and maintenance of public facilities and services. It is based upon the county government's role and responsibility to protect public health, safety and welfare.

The Growth Policy is not a regulation, and it must recognize and respect individual private property rights. Consistent with federal and state constitutional protections, it does not support any public taking of private property without due process of law, which requires fair compensation after required public hearings and findings.

Accordingly, the Ravalli County Growth Policy incorporates and reaffirms the following basic principles concerning property rights:

- **Private property rights and ownership of property shall be protected.**
- ***"... nor shall private property be taken for public use, without just compensation."***-United States Constitution, Amendment V.
- **The Ravalli County Growth Policy acknowledges that regulation can "reduce" or "enhance" property value.**

Any restrictions that Ravalli County may be asked to consider will be evaluated so as to be the minimum necessary to protect the public health, safety and welfare, while concurrently protecting private property rights.

The Ravalli County Growth Policy has been prepared to be consistent with, and meet the requirements of, Montana statutes relevant to planning, zoning and subdivision.

Of necessity, this Growth Policy references detailed reports from other sources. Of particular interest to Ravalli County residents are documents from the Census Bureau and the Economic Needs Assessment study prepared by Dr. Larry Swanson in 2002.

Any errors or omissions in the data contained in this document are the responsibility of the County. Readers are encouraged to directly consult all references for a more elaborate and detailed discussion of the information cited in this Growth Policy.

RAVALLI COUNTY GROWTH POLICY

SECTION 2: RAVALLI COUNTY CONDITIONS AND TRENDS

One of the prime ingredients of effective planning is recognition of current conditions and trends in order to make reasonable judgments about feasible goals and policies.

The Ravalli County Growth Policy utilizes a database of critical information about the County, its physical, economic and demographic characteristics. This information will help citizens and elected officials understand some of the local and non-local forces that will influence the future of Ravalli County. In turn, the Growth Policy will affect those trends that need modification to achieve the future desired by the citizens of the County.

Data for the Growth Policy was gathered over a four year time frame; consequently, readers should keep in mind that some information may be outdated.

As defined in Section 3 (Countywide Goal 6, Page 28), Ravalli County has assigned the responsibility for economic database management to the Ravalli County Economic Development Authority (RCEDA).

Valuable demographic and economic data and analysis for Ravalli County have been produced and published as “The Bitterroot Valley of Western Montana AREA ECONOMIC PROFILE”, prepared by Dr. Larry Swanson, Associate Director, O’Conner Center for the Rocky Mountain West, The University of Montana (November 2002.) This Profile is the source for much of the material in this section of the Growth Policy and is available for public review in the Ravalli County Planning Department.

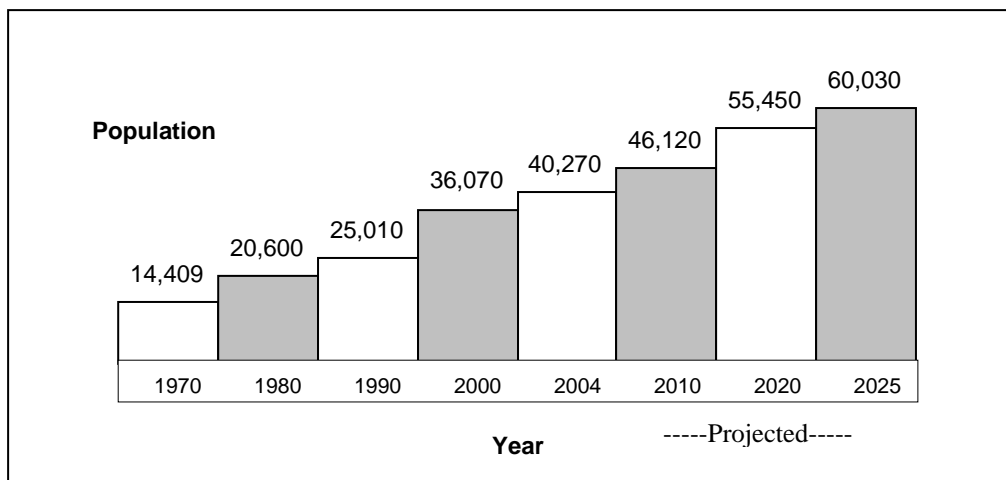
Ravalli County has also established a capacity for physical database management in the County Planning Department’s Geographic Information System (GIS) mapping function. A series of data themes is available for inspection and review. Please refer to the maps available in the Ravalli County Planning Department.

Flood plain management studies and mapping of the 100-year floodway, 100-year flood hazard area and 500-year flood hazard area have been completed for the main stem of the Bitterroot River (November 1995) and the East and West Forks of the river (October 1998).

2.1: POPULATION

During the 1990s, Ravalli County was the fastest growing county in Montana based on percentage of increase and became one of the fastest growing counties in the entire nation. The Census reports that from 1990 to 1999, the population increased from 25,010 to 36,070—an increase of 44.2%. Between 1991 and 1996, the growth rate ranged from 4% to 6% per year. During the last three to four years, growth has slowed to about 2% per year.

Figure 1: Ravalli County Population Change 1970-2025.
Adopted from 2002 Ravalli County Economic Needs Assessment (Swanson) and the Montana Department of Commerce, 2004.



Between the past two decennial Censuses there have been significant changes in urban versus rural population growth. According to the Census, the urban population growth rate was 121% (from 2,737 to 6,072) between 1989 and 1999. The percent change in rural non-farm population was an increase of 36.2% between 1989 and 1999, and there was an 11.8% increase in rural farm population during the same time period.

Overall, the population split between rural and urban areas was 89% rural and 11% urban in 1989 and it was 83% rural and 17% urban in 1999. If these trends continue over the next 10 years, projected population growth will be primarily focused on existing population and community centers and there will be a fairly significant rural non-farm population growth. The rural farm population will experience the lowest growth rate of the three classifications.

(See Map 5: 2000 Census Block Population; and Map 9: Well Density Comparison, for information about the location of population centers in Ravalli County.)

PAST AND PROJECTED TRENDS:

Some key population trends noted by the Swanson Profile:

- Ravalli County will probably continue its rapid growth during the current decade. *“Population growth will almost certainly be governed by the rate of in-migration to the valley... The factor most affecting future growth is what will happen to perceptions of the valley’s attractiveness as this fast growth continues and increasingly takes its toll on the very thing enticing more people to move to the valley- the area’s scenic qualities and rural character.”- Dr. Larry Swanson.*

If the County continues to grow at an average rate of two percent per year, by 2010 the population could approach 45,000.

- The County’s population aged with large increases in the 45-64 years of age group, while the 65 and older group decreased as a percentage of the total population between 1990 and 1999. This counters the notion that much of the Valley’s recent in-migration is retirees. *“The area may in fact be losing a disproportionate number of post-65-year olds who move away from the area, rather than actually adding to this elderly group through in-migration of retirees.”*
- Aging of the population will accelerate. The fastest-growing age groups, people in their mid-40s and early 60s, have doubled in the past 10 years.
- This increasing aging of the population is producing a significantly lower birth rate. In 1980, the birth rate was 15.8 per 1,000 population. It fell to 9.8 by 1999. In comparable non-metro counties in the West, the birth rate fell to 13.8 in 1999.
- The death rate in the Valley has declined from 10.0 deaths per 1,000 population in 1980 to 9.1 in 1999.
- The school population is growing more slowly than the population increase. The pre-school population (under five years old) grew by only 14% during the 1990s.

2.2: LAND USE AND DEVELOPMENT

SUMMARY OF LAND USE:

The Montana Department of Revenue (DOR) provided the most recent land use classification data for Ravalli County. Although this classification reflects use for taxation purposes, it is the best available description of land use throughout the county:

Land Use Classification:	Acres in:	
	2003	1998
Agricultural:		
Irrigated	45,699	46,312
Non-irrigated	5,303	5,841
Wild hay	1,255	1,244
Grazing	129,570	144,186
Total:	181,827	197,583
One-acre homesteads on agricultural land:	1,619	1,899
Forestland (privately owned):	103,160	103,886
One-acre building site on forestland:	395	245
Non-qualifying agricultural land (20-160 acres):	29,026	24,574
One-acre building sites on non-qualifying agricultural land:	618	499
Tract land (less than 20 acres):	48,267	39,172
Commercial tracts (incomplete data):	1,684	1,466
Industrial:	244	139
City/town (incomplete data):	87	142
Golf course land:	385	80
Eligible mining claims:	0	30
Tax exempt property		
Agricultural & non-qualifying agricultural land:	33,995	30,174
Residential (incomplete data):	1000	326
Commercial (incomplete data):	401	357
Forestland:	1,095,340	19,818

*Ravalli County is presently adding additional exempt property to the assessment roles. In 1998, most of the land owned by the U.S. Forest Service and the State of Montana was not on the tax roles. Thus, the figures for exempt acreage listed above are low and do not reflect accurate numbers.

Source: Department of Revenue, Ravalli County, March 11, 2004

(See Map 2: Land Use.)

As of March 1, 2004, there were approximately 55 conservation easements recorded in the county with a total area of 27,806 acres, or .018% of all land in Ravalli County. These easements affect both public and private land.
(See Map 4: Conservation Easements)

SUBDIVISION ACTIVITY:

The Ravalli County Planning Office maintains a log of subdivision activity as shown on the following table:

Ravalli County – Subdivision Approvals:

	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>
Major:	2	4	12	12	14	8	10	4	8	8	6
Minor:	24	49	75	88	100	97	49	50	35	36	37
Lots:	124	213	423	440	463	521	295	195	140	209	148
Acres:	433	628	1898	2039	2490	4800*	1873	1124	526	533	658
* Includes 2600 ac. Bitterroot Stock Farm											

EXISTING ZONING DISTRICTS AND RESTRICTIVE COVENANTS:

As of March 2004, Ravalli County currently contains 35 zoning districts established under 76-201 MCA. They extend from Florence south to Lost Horse Road. These zoning districts are also shown on school district land use maps.

The total area of these zoning districts is approximately 23,983 gross acres, or about 37.8 square miles. This represents less than two percent of the total area of Ravalli County.

There are a number of acres in the County that are encumbered by protective covenants. Ravalli County recognizes the use of restrictive covenants drafted by area landowners.

(See Map 3: Voluntary Zoning Districts)

HOUSING STARTS:

According to information supplied by the Montana Building Industry Association, Ravalli County experienced the following housing construction activity:

<u>Year:</u>	<u>Single Family Housing Starts:</u>	<u>Year:</u>	<u>Single Family Housing Starts:</u>
1990	214	1997	313
1991	257	1998	334
1992	391	1999	396
1993	419	2000	346
1994	501	2001	396
1995	384	2002	394
1996	367	2003	346

PROJECTED TRENDS:

Accurate future land use trends are difficult to project. If current trends continue, the county will experience more development, primarily residential, in a scattered pattern. Commercial and industrial development will likely locate near existing service centers and along major travel corridors. With the implementation of the Growth Policy, the County anticipates that growth will occur more in accordance with the goals and policies of the Growth Policy as follows:

- Loss of farm, ranch and forestlands may be minimized.
- New development located in the vicinity of agriculture and forestry operations should be aware of these uses.
- Development should be located in areas, such as near roads and other infrastructure, so as to minimize additional costs to taxpayers.
- As new development occurs, air and water quality should be maintained and protected.
- Residential and commercial growth should be encouraged adjacent to existing development.
- Tools such as neighborhood plans, voluntary zoning districts, transfer of development rights, etc., may be utilized at the local level to address growth and identify areas where different types of development may occur. Development standards may be utilized to ensure development design.

2.3: HOUSING NEEDS

According to the 2000 Census data, Ravalli County had 15,946 housing units in 2000, of which 14,289 were occupied. Some 1,657 units were defined as vacant and 758 units as “seasonal, recreational or occasional use”. The reported homeowner vacancy rate was 2.5% and the rental vacancy rate was 6.1%. By comparison, the Census reported that the vacancy rates for the State of Montana were 2.2% for homeowners and 7.6% for rentals in 2000.

It should also be noted there is a difference in average household size between owner-occupied and rental units. In 1999, the average household size for rental units was 2.33 persons; whereas, the average household size for owner-occupied units was 2.53 persons. These and other demographic factors may influence the types and locations of new housing units.

Housing tenure (ownership) data indicate that 75.7% of households were owner-occupied, and 24.3% were renter-occupied. Comparable data for Montana are 69.1% owner-occupied and 30.9% renter-occupied. The Census reports that over 48% of residents have lived in the same house since 1995.

Accordingly, it appears that the majority of current homeowners enjoy reasonable costs for housing. This may be due to the relatively high percentage of homeowners, the length of ownership and the increasing percentage of non-labor income. In addition, over 35% of owners had no mortgage. However, the situation for new homeowners may be different.

Approximately 62% of owners paid less than 25% of their income for housing costs based on monthly owner costs as a percentage of household income in 2000. A household is described as experiencing “cost-burden” when their housing costs exceed 30% of income. In 1989, the Census indicated that 16% of homeowners and more than 34% of renters were experiencing cost-burden. In 1999, these figures had increased to almost 29% of homeowners and 38% of renters.

The rate of growth of household income has not kept pace with the cost of homes in Ravalli County. Between 1989 and 2000, the median household income increased from \$28,376 (adjusted for inflation to 2000 values by using the inflation calculator found at www.jsc.nasa.gov/bu2/inflateCPI.html) to \$31,992, or by 12.7%. In contrast, the median home value was \$82,923 in 1989 (adjusted for inflation to 1999 values) and it increased to \$133,400 in 1999, which was an increase of 60.9%.

(See Map 2: Land Use; Map 5: 2000 Census Block Population; Map 9: Well Density Comparison)

PROJECTED TRENDS:

- Should the population grow to 45,000 residents (as projected in the population section) and the projected average household size remain at 2.48 persons, the projected number of housing units needed in 2010 will be 18,145, or an increase of 2,199 housing units. This estimate is likely low due to two factors: the fact that the average household size may continue to decrease as it has between 1989 (2.53 persons) to 1999 (2.48 persons), and that there is always a housing vacancy rate. Assuming a similar decrease in household size between 2000 and 2010, the average household size would be 2.43 persons in 2010 and the projected number of new housing units needed would be 2,572, or an average of 257 per year for 10 years. It should be noted that both estimates for housing needs are low in comparison to the information on Housing Starts presented in the land use and development sub-section above.
- The Montana Department of Commerce released figures in February 2004, indicating that Ravalli County will grow from 40,270 people in 2004 to 60,030 people in 2025.
- Due to the increasing number of homeowners and renters experiencing “cost-burden” it is anticipated that housing affordability problems will grow and affect more residents during the next 10 years.
- Based on past trends in rate of income growth rates versus rate of change in housing costs, should the cost of new housing units continue to increase more rapidly than income, there will be greater pressure on the supply of affordable housing.

2.4: EMPLOYMENT AND ECONOMIC ACTIVITY

Some significant trends noted in the Profile include:

- Per capita income in the Bitterroot Valley continues to be relatively low. In 1977, it was \$13,339 (adjusted to 1996 dollars) and in 2000 it was \$16,908, which is comparable to similar areas in the West.
- In Ravalli County, private non-farm employment grew by 195% from 1977 to 2000, while all forms of government employment only grew by 38%.
- Personal income rose 131% from 1977 to 2000.
- Labor income (wages, salaries and self-employment income) now accounts for less than 53% of all personal income in Ravalli County-down from 60 percent in 1977. This trend is expected to continue as the population ages.

- An estimated 15 to 20% of residents in Ravalli County who are employed work in Missoula County.

EMPLOYMENT BY SECTOR:

The following ten major private sectors (and four major segments of the government sector) are ranked according to percent of total job growth in Ravalli County. (See 2002 Ravalli County Economic Needs Assessment, Dr. Larry Swanson
<http://crmw.org/read/Downloads/The-Bitterroot-Valley-Economy-Full.pdf> and
<http://www.rceda.org/>

#1: Service (Engineering, legal, management, health care, hotels and lodging, recreation, auto repair, personal services, et. al.): 28%

#2: Retail Trade (Food stores, hardware and building materials, auto dealers, service stations, eating and drinking places, apparel, et. al.): 24%

#3: Construction (Building and construction contractors): 14%

#4: Manufacturing (Durable and non-durable goods manufacturing, including wood products): 9%

#5: Finance, Insurance and Real Estate (Banking and credit, insurance, real estate, money management): 8%

#6: Local Government (Municipal and county government, local public education): 6%

#7: Wholesale Trade: 4%

#8: Agricultural and Forestry Services (Services used on farms, ranches and forests and purchased by agricultural producers and forest managers): 3%

#9: Transportation and Public Utilities (Railroads, trucking and warehousing, communications, private utilities, local transportation suppliers): 2.5%

#10: U.S. Military: <1%

#11: State Government: <1%

#12: Federal Civilian Government: <1%

#13: Production Agriculture (Farm and Ranch) : <1%

#14: Mining: <1%

POVERTY:

The poverty threshold is a federal poverty measure that is issued each year by the U.S. Census Bureau (www.census.gov/hhes/poverty/povdef.html). It is not meant to reflect the income a household requires to meet basic needs; rather, it is meant to be used as a statistical yardstick. The poverty rate is the same for all states; however, a household determined to be in poverty in rural Ravalli County may be in a considerably different situation than a household in the city of Seattle. The poverty threshold is adjusted annually for inflation using the Consumer Price Index. In 1999 (the year the Census 2000 data was collected), the poverty threshold for a one person household was \$8,501 (annual income) and the poverty threshold for a four person household with two children was \$16,895.

The 2000 Census reports that 13.8% of Ravalli County residents were determined to be in poverty based on the poverty threshold, which is an improvement from the 1990 Census when the poverty rate was 16.3%. Likewise, there was improvement in the poverty rate for children (under 18 years of age) and the elderly (over 65 years of age). However, the poverty rate has remained disproportionately high for households with a female head of household (no husband present) with children, increasing from 41% to 48.6% between the 1990 and 2000 Censuses.

PROJECTED TRENDS:

According to the Profile:

- Population growth will be driven by the rate of in-migration of residents. Ravalli County will continue to be one of Montana's fastest-growing counties over the next two decades.
- Aging of the county's population will accelerate as a significant factor.
- Non-labor income will increase to well over half of total income by 2009.
- Per capita income will slowly rise.
- Continued growth in service and retail jobs will follow population growth.
- Real estate and construction activity dependence on population growth presents both an opportunity and a challenge due to volatility.
- The biggest economic development challenge for the Bitterroot Valley is the *"large proportion of relatively low-paying jobs and an excessive dependence on self-employment and part-time employment... and the correct prescriptions are most assuredly not ones that call for returning to the past. What is required is adaptation to the present and to the future."* (See: 2002 Ravalli County Economic Needs Assessment, Dr. Larry Swanson)

2.5: PUBLIC FACILITIES AND SERVICES

Services currently provided by Ravalli County include community and environmental health, planning, law enforcement, maintenance of major county roads, recordation and care of public documents, administration of elections, et al. In addition, the public receives many other services that are provided by a variety of agencies and private organizations. Major examples of such services include public and private schools and fire protection.

Most public services furnished by Ravalli County require a fee for service. However, there is an increasing demand for “non-fee” services, such as law enforcement. The cost of expanding and maintaining the county road system is another significant challenge.

The Growth Policy contains several goals and policies to address these issues (Section 3, page 18). In addition, Section 7 describes the County’s strategy for development and maintenance of public infrastructure.

ROADS AND BRIDGES:

Roads and bridges within Ravalli County are generally classified into different categories for purposes of development and maintenance/repair. Primary and secondary highways are maintained by the Montana Department of Transportation. County roads are maintained by Ravalli County, and subdivision roads are generally maintained by private property owner associations and/or developers.

For many years, Ravalli County had no paving program because rural needs did not require such roads. Subdivision development activity and concerns about air pollution from road dust have stimulated the initiation of a road paving program. The county currently has about 360 “named maintained roads” of which some 300 are paved or chip sealed. The County Road Department operates an asphalt plant to facilitate its paving program target of 10 miles per year.

The growing need for adequate maintenance of roads due to increased traffic impacts will require new policies and programs to protect the capacity and value of these critical transportation facilities. The current road improvement contribution formula for subdivisions needs periodical review to ensure that the county’s paving costs are recovered in an equitable manner.

WATER AND WASTEWATER TREATMENT FACILITIES:

As part of development review, Ravalli County supports the goal of encouraging the provision of economically viable extensions to existing public wastewater treatment systems and the inclusion of community systems in new subdivisions. Ravalli County does not provide or maintain public infrastructure for potable water or wastewater treatment facilities.

Municipal or public water supply systems at this time are provided by the cities of Stevensville, Hamilton and Darby. Other small public water supply systems, as approved by the Department of Environmental Quality (DEQ), serve clustered housing developments and mobile home courts. In other areas, onsite individual or multi-family wells are the only option.

The expansion of Ravalli County's population creates a concern about the potential for aquifer degradation. The potable drinking water supply is not based on one sole source aquifer, but rather on an unknown, undefined series of discontinuous aquifers.

There are three types of wastewater treatment facilities: public or municipal treatment facilities such as the Darby, Hamilton and Stevensville municipal treatment plants and the Victor or Corvallis public sewer districts; small multi-family and public wastewater systems for subdivisions and mobile home courts; and individual onsite septic systems.

The lack of adequate public facilities stimulates the continued development of one acre or larger lots that can accommodate onsite septic systems. Large areas could be opened up for more intense commercial and residential development where and when there is potential to connect to a public wastewater treatment system.

FIRE PROTECTION AND EMERGENCY SERVICES:

Fire protection and emergency response services throughout Ravalli County are supplied by 12 local volunteer fire departments. These include the Corvallis Fire Department, Darby Fire Department, Florence Fire Department and Quick Response Unit, Hamilton Fire Department, Painted Rocks Fire and Quick Response Unit, Pinesdale Fire Department, Stevensville Fire Department, Stevensville Rural Fire Department, Sula Fire and Quick Response Unit, Three Mile Fire and Quick Response Unit, Victor Fire Department, and West Fork Fire Department and Quick Response Unit. These units utilize a mutual aid agreement to provide assistance to each other as required.

During major fire and emergency situations that exceed the capacity of local departments and/or response units, the Ravalli County Disaster and Emergency Services (DES) Coordinator offers assistance in the definition of combined plans and actions.

(See Map 6: Fire Districts; and Map 7: Ambulance Boundaries)

LAW ENFORCEMENT:

The Ravalli County Sheriff's Office is primarily responsible for the investigation and enforcement of criminal and traffic laws throughout the county. However, these duties are concentrated outside the incorporated limits of towns and cities.

The Sheriff's Office serves as coroner and runs the county jail, which houses arrested persons for all law enforcement agencies in Ravalli County as well as for the U.S. Marshals, FBI, DEA, INS and MHP.

The Sheriff's Office serves and processes civil papers, registers violent and sexual offenders, administers the sale of abandoned vehicles and bicycles, issues concealed weapons permits, and provides fingerprinting services. The Sheriff's Office also manages the 911 Dispatch function for all emergency providers in the county.

The Ravalli County Sheriff's Office currently has 31 full-time sworn officers, approximately 30 reserve deputies, an eighty bed detention facility, an administrative staff program, and a 24-7 dispatch center for 911.

SOLID WASTE FACILITIES:

Solid waste and refuse is collected by Bitterroot Disposal and Browning-Ferris, then transferred to the BFI landfill facility in Missoula County.

COUNTY BUILDINGS AND FACILITIES:

Current county facilities include the county airport; Administrative Center; fairgrounds; weed shop; Search and Rescue building; evidence storage; Courthouse; museum; road department facility in Hamilton, with shops in Corvallis, Conner, Florence, Stevensville and Victor.

PARKS & RECREATION:

Park and recreation facilities in Ravalli County are operated by various entities including city, school district, USFS, and private providers. A number of County parks are a result of parkland dedications in subdivisions.

(See the 2004 Ravalli County Master Park and Recreation Plan for a detailed inventory. The Plan is available for a fee from the Ravalli County Planning Department)

TRANSPORTATION:

The seven member Ravalli County Transportation Advisory Committee (RCTAC) has completed a five-year long-range plan. A major goal is to provide transportation system connections with Missoula due to the large number of local commuters who work in the Missoula job market. Mass transportation is provided by:

- The Missoula Ravalli County Transportation Management Association (MRCTMA)
- The Transportation Advisory Committee
- The Council on Aging

PUBLIC SCHOOLS:

Although the authority and responsibility for provision and operation of public schools lies with the school districts, the County recognizes the relationship between future growth and the impacts of new residential development on schools. The Growth Policy seeks to support and facilitate communication and coordination between the County and the school districts to plan needed public infrastructure in an efficient, cost-effective manner.

(See Map 1: School Districts)

PROJECTED TRENDS:

With increased growth and development, the cost of needed services and public facilities will likely be defined by the future development patterns in the county.

2.6: NATURAL RESOURCES

A major focus of this Growth Policy is the need to accommodate continued growth and development while maintaining a sustainable resource base for future economic health.

PROJECTED TRENDS:

There are areas with significant natural resources within the county that will continue to be protected in the future such as national forestland, wilderness areas, and wildlife refuges. Increased population and resulting development over the next 10 years may adversely affect air and water quality, natural resources, and wildlife habitat in Ravalli County. Some of these impacts may include the following:

- Land use change, which may include fires, subdivision, transportation, the cumulative effects of development and other changes may affect:
 - erosion and runoff to streams and rivers.
 - generation of dust contributing particulate to air pollution.
 - impacts on existing natural wildlife habitat and passages.
 - water quality and quantity due to proliferation of wells and septic systems in a concentrated area.

RAVALLI COUNTY GROWTH POLICY

SECTION 3: COUNTYWIDE GOALS AND POLICIES

The Ravalli County Growth Policy includes goals and policies. For planning purposes, a "goal" is defined as a desired future condition; a "policy" is a course of action or procedure to achieve a goal. Suggestions for further action on land use issues reside at the Ravalli County Planning Department in a document entitled: "Implementation Tools and Information to Guide Land Use Change in Ravalli County, 2004." That document is not part of this Growth Policy, but is available to members of the public interested in state authorized land use planning activities.

Many of the ideas put forth in this document may be implemented by citizen activism. There are numerous examples throughout Ravalli County of ideas and concepts that have been actualized through citizen contributions of labor, materials, and monies, e.g., Stevensville's bike trail and Darby's new library building are but two examples. This Growth Policy outlines a vision many of its citizens have for a future of Ravalli County. Given the limitations of public funding sources, a majority of these "goals" may be brought to reality through community volunteer efforts.

The topography of the Bitterroot Valley has largely defined the major land use pattern. The result is a corridor of cities and towns along Highway 93, the Bitterroot River and its tributaries.

Recognizing that Ravalli County is comprised of unique social, cultural, economic, and physical conditions that affect County residents, and that County residents share a commitment to maintain such qualities, this section contains county wide goals and policies. The format of the Growth Policy is consistent with Montana's "Growth Policy Statute" (76-1-601, MCA as revised).

BACKGROUND:

Almost every aspect of all the issues that are being considered under the Ravalli County Growth Policy is a Quality of Life Issue.

- *The protection of private property rights.*
- *The preservation of the scenic, spiritual and moral environment.*
- *The encouragement of economic growth.*
- *The sustainable utilization of our natural resources, including farm and ranch lands, water, timber, and minerals.*
- *An increased awareness that irrigation and water storage are vital to our water quality and recharge systems as is the retention of ownership and usage of water originating in the Bitterroot Watershed.*
- *The provision of quality affordable housing.*
- *Ravalli County encourages the management of wildlife in order to provide a balance between agriculture and wild lands so as not to negatively affect local farmers and ranchers.*
- *The recognition that Ravalli County has a serious weed problem that will require everyone's assistance and support.*
- *That economic progress may be promoted by encouraging the local sales of locally grown crops and animals.*
- *Farmers and ranchers within this community have been excellent stewards of the land for many years, and the development of land must take that fact into consideration.*

3.1A: PUBLIC OPEN SPACE

The intent of Countywide Goal 1A is to insure the involvement and input of Ravalli County Government in land use and development decisions on public lands located within Ravalli County.

The policies in this goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

Natural Resources, (See Pages 16 and 17 for more information)

Ravalli County residents enjoy, use, and make a living from the Bitterroot Valley's rich natural resources. Community adults and students expressed concerns that the rivers, riparian corridors, forests, sensitive habitat areas, aquifers, air quality, and wildlife needed careful consideration when addressing the growth of the County.

COUNTYWIDE GOAL 1A:

PROMOTE PUBLIC OPEN SPACE, AND RECOGNIZING AGRICULTURE AND FORESTRY AS VALUED LAND RESOURCES.

For policies see Section 3.5 Natural Resources and Public Open Space, pages 26 and 27.

3.1B: PRIVATE OPEN LAND

The intent of Countywide Goal 1B is to help protect private landowners. It proposes alternatives to extract value from their land while preserving it as agriculture, forest, range or naturally open land.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

The rural characteristics of the Bitterroot Valley are major attributes and magnets for new development and increasing population. These characteristics are impacted by development and the needs and demands of new residents.

Working ranches and farms in the Valley have been long-standing components of the County’s economy. The contribution to the Bitterroot Valley’s economy by farmers and ranchers is no longer limited to just the production of commodities. Their undeveloped land provides land for future development and scenic open space.

A large fraction of ranchland and other privately owned open land is forestland that has traditionally provided income to the landowner from managing and harvesting timber.

- There is significant, economic pressure on agricultural landowners to sell land.
- Many agricultural landowners fear restrictions on their ability to sell portions of their land and on their private property rights.
- Newcomers to Ravalli County may not be familiar or comfortable with the impacts of farming and ranching operations.

The noise, smell and dust of farming operations and the compatibility of animals with residential neighbors are examples of such impacts.

COUNTYWIDE GOAL 1B:

PROMOTE PRIVATE OPEN LAND, FARM LAND, RANCH LAND, AND RECOGNITION OF AGRICULTURE AND FORESTRY AS VALUED LAND RESOURCES.

Countywide Policy 1.1: Develop incentives to help minimize loss of farm, ranch and private forestlands.

Countywide Policy 1.2: Affirm “right to farm” and support responsible forest management on private and public lands as official County policy. For example, Ravalli County recognizes the Healthy Forests Restoration Act as a means of achieving this policy.

Countywide Policy 1.3: Encourage new development that allows continued agricultural and forestry activities. The intent of this policy is to minimize the adverse impacts of new development on agricultural and forestry operations; (i.e., nuisance litigation over weed spraying, dust, livestock odors and noise.)

Countywide Policy 1.4: Explore countywide support for voluntary private open land protection programs.

Countywide Policy 1.5: Explore cooperative efforts with other counties to share growth policy information.

Countywide Policy 1.6: Promote control of noxious weeds.

Countywide Policy 1.7: Encourage Protection and improvement of existing agricultural water supplies.

Countywide Policy 1.8: Affirm the advisory role of the Right to Farm and Ranch Board on county growth issues.

3.2: WATER QUALITY AND SUPPLY

The intent of Countywide Goal 2 is to encourage protection of water quality and supply in Ravalli County. The County will make a reasonable effort to meet or exceed all state and federal laws and regulations and comply with the Montana State Constitution. It proposes gathering data regarding the quality and quantity of available water. It also includes suggestions for protecting or improving both the quality and supply of water.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

- More information and analysis of existing data is needed concerning water quality throughout Ravalli County. (See current water quality data at the Montana Natural Resource Information System website-- <http://nris.state.mt.us>.)

Some aquifer analysis has been done by the U.S. Geological Survey and published in February 2000. Also, the Montana Bureau of Mines and Geology has undertaken additional aquifer characterization that is not yet published.

- The failure of individual, shared, multiple-user, and small public wastewater treatment systems operated by private homeowners and homeowners' associations can lead to inadequate treatment levels and contamination of aquifers. All wastewater treatment systems require routine maintenance to function properly. Operation and maintenance should be conducted in accordance with state design Circulars DEQ-2 and DEQ-4 and recommendations in the EPA Handbook for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems and Voluntary Guidelines for Management of Onsite and Clustered (Decentralized) Wastewater Treatment Systems.

Likewise, the cumulative effects of wastewater treatment systems may result in increasing impacts on groundwater quality.

- The Bitterroot River and several tributary streams are considered "impaired" by the State of Montana and a significant monitoring effort is needed to identify sources of point and nonpoint pollution.
- Reliable water quality for domestic and agricultural uses is the lifeblood of the Valley. Protection and enhancement of water quality are critical for all residents.
- Development may affect water quantity due to proliferation of wells in a concentrated area. Wells may go dry or have to be drilled deeper to maintain an adequate flow and groundwater recharge may diminish if irrigation is not allowed.
- Use of wells for irrigation of lawns and gardens, instead of irrigation ditches, can place additional stress on existing water supplies.
- The geographic location of a new subdivision may impact downstream water users. Uninformed residents could illegally cut off downstream water users, contrary to historic water rights.

COUNTYWIDE GOAL 2:

PROTECT WATER QUALITY AND SUPPLY.

Countywide Policy 2.1: Encourage the collection and provision of information about the status of groundwater and surface water quality and supply.

Countywide Policy 2.2: Develop and adopt incentives to encourage the protection and enhancement of water quality and supply.

Countywide Policy 2.3: Encourage the protection of water quantity and quality, including the mitigation of adverse cumulative impacts.

Countywide Policy 2.4: Encourage the continued operation of irrigation districts and systems important to agriculture and other forms of groundwater recharge.

Countywide Policy 2.5: Support the investigation of potential opportunities and impacts of additional water storage, both above and under ground, within the Bitterroot River drainage system.

3.3: AIR QUALITY

The intent of Countywide Goal 3 is to encourage protection of the air quality of Ravalli County. The County will make a reasonable effort to meet or exceed all state and federal laws and regulations and comply with the Montana State Constitution.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

The Ravalli County Growth Policy will follow the Clean Air Act of Montana (75-2-101 MCA)

The Bitterroot Valley shares climatic characteristics similar to the Missoula Valley. Air quality monitoring in Ravalli County showed an increase in airborne particulates, especially in winter months.

- The Montana Department of Environmental Quality’s air quality protection program includes a goal to “*operate a network of state and local air monitoring stations*”, which could provide and maintain a useful data source for Ravalli

County. A first step could be the determination of current air quality to identify pollution levels that require mitigation.

- Ravalli County has responsibility for maintenance of 240 miles of unpaved roads. Increased use of such roads generates dust and contributes to particulate air pollution.
- Wildfire and prescribed burning may create pollution problems.

COUNTYWIDE GOAL 3:

PROTECT AIR QUALITY.

Countywide Policy 3.1: Encourage the monitoring and provision of data describing current air quality.

Countywide Policy 3.2: Continue to minimize dust and other air pollution by appropriate subdivision regulation.

Countywide Policy 3.3: Promote alternatives to burning to assure air quality.

Countywide Policy 3.4: Encourage alternatives to chemical pesticides and herbicides in controlling pests and noxious weeds.

Countywide Policy 3.5: Encourage the use of efficient heating systems.

3.4: INFRASTRUCTURE AND PUBLIC SERVICES

The intent of Countywide Goal 4 is to provide ways for establishing necessary infrastructure and public services to accommodate population growth and new development. It presents methods for saving costs through encouraging specific types of development and long range plans to meet costs while avoiding unnecessary and unfair expenses to developers and existing residents.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

Infrastructure and public services in Ravalli County include roads and road maintenance, law enforcement, fire protection, public school facilities and education, emergency services, general government services, etc. These facilities and services are anticipated to be available to meet increasing needs. They are critical to an acceptable quality of life for healthy, successful communities.

The quantity and quality of the infrastructure and services largely depend on public support for funding of construction, maintenance and operations. The capacity of infrastructure and services often lags behind increasing demand as an area grows in population. Alternatives must be explored to replace that infrastructure which is no longer adequate, and to build for the future.

- The county has not been able to fund a capital improvements program (CIP) to facilitate the planning and budgeting of infrastructure.
- Reductions in federal funds (timber harvest) have reduced local revenues available for public services. For example, the volume of timber harvested in the Bitterroot National Forest has declined over the past years from 46.6 million board feet (MBF) in 1985 to 17.9 MBF in 1990, 6.9 MBF in 1995 and 3.5 MBF in 2000.
- Many long-term residents of Ravalli County and newcomers have different expectations about adequacy of services and who should provide and/or pay for them.
- Current laws do not provide a timely or effective means of taxing new development to pay for the additional infrastructure and services required.

Current Montana law specifically prohibits imposition of impact fees for new schools as a condition of subdivision approval. The property tax revenue lags behind and may not pay the full cost of public services.

- The choice of preferred growth patterns has a direct impact on cost of services.

Compact development, close to existing facilities and services, reduces the need for road construction and maintenance and increases the cost-effectiveness of public facilities.

COUNTYWIDE GOAL 4:

PROVIDE NECESSARY INFRASTRUCTURE AND PUBLIC SERVICES TO ACCOMODATE POPULATION GROWTH AND NEW DEVELOPMENT WITHOUT UNDUE IMPACTS ON THE QUALITY, QUANTITY AND COST OF SERVICE TO EXISTING RESIDENTS.

Countywide Policy 4.1: Encourage development that will minimize or avoid additional costs to existing taxpayers.

Countywide Policy 4.2: Consider the cumulative impacts of development.

Countywide Policy 4.3: Upgrade the availability of relevant information to facilitate more informed decision-making about new development.

Countywide Policy 4.4: Improve and maintain existing infrastructure and public services.

Countywide Policy 4.5: Developers will be responsible for providing the infrastructure necessary within the development such as community water, sewage treatment and roads. A system of “nexus and proportionality” will govern external infrastructure costs attributable to the developer.

3.5: NATURAL RESOURCES AND PUBLIC OPEN SPACE

The intent of Countywide Goal 5 is to encourage management and enhancement of the natural resources & public open space of Ravalli County.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

COUNTYWIDE GOAL 5:

PROTECT AND ENHANCE NATURAL RESOURCES & PUBLIC OPEN SPACE

The policies in this goal shall not infringe upon the private property rights of any individual or property owner.

Countywide Policy 5.1: While recognizing the private property rights of landowners, conserve and enhance the quality and quantity of wildlife, fisheries, forest and other natural resources in the Bitterroot Valley.

Countywide Policy 5.2: Encourage collaborative relationships to manage natural resources on public lands. The “collaborative relationships” may include public agencies, private organizations, and citizens that share interests and goals concerning natural resource management on public lands.

Countywide Policy 5.3: Use planning tools to ensure consideration is given to natural resources.

Countywide Policy 5.4: Protect the Bitterroot River, its naturally flowing, perennial tributary streams and riparian areas as valuable resources for their agricultural water, scenic beauty, recreational opportunities, fisheries, and wildlife habitat.

Countywide Policy 5.5: Encourage the maintenance and improvement of public access to the river through public parks, trails, and recreational opportunities.

Countywide Policy 5.6: Recognize the value and encourage the protection of the Lee Metcalf National Wildlife Refuge.

Countywide Policy 5.7: Encourage owners of structures built near or in the forested areas to create a defensible fire space around the structure(s).

Countywide Policy 5.8: Encourage the designation of U.S. Highway 93 in Federal and State programs to preserve scenic and historical values.

Countywide Policy 5.9: Retain current and encourage additional public access to public land.

3.6: ECONOMIC DEVELOPMENT

The intent of Countywide Goal 6 is to promote and encourage a positive environment for existing and new businesses. It proposes a means to evaluate current public needs to improve the business environment in the County. Other collaborative efforts to support businesses are also proposed.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

Throughout the Growth Policy planning process, Ravalli County residents noted the critical connection between the physical and demographic assets of the county and the need for an expanded, diversified and sustainable economy. This understanding includes the relationship between significant environmental factors and potential elements of an effective economic development program.

Recent data from the 2000 Census includes two key County economic factors:

- The 1999 median household income is reported as \$ 31,992- about 97% of the Montana median household income of \$ 33,024.

Household is defined as “*an occupied housing unit; includes all of the people who would occupy a housing unit.*”

- The 1999 median home value is \$ 133,400- about 134 % of the Montana median home value of \$ 99,500. Ravalli County has the third highest median home value in Montana.

If this data indicates that there is a gap between household income and access to home ownership, then Ravalli County needs to take positive steps toward encouragement of sustainable job opportunities. The following policies are intended to support and implement the goal of economic development. They have been drafted from the “Economic Needs Assessment” prepared by the Ravalli County Economic Development Authority (RCEDA.)

COUNTYWIDE GOAL 6:

PROMOTE AND ENCOURAGE A VIBRANT, SUSTAINABLE, HEALTHY ECONOMIC ENVIRONMENT THAT RECOGNIZES EXISTING BUSINESSES AND ATTRACTS NEW ENTREPRENEURS.

Countywide Policy 6.1: Support a leadership role of RCEDA for Ravalli County’s economic development.

Countywide Policy 6.2: Support and encourage quality design and planning for more aesthetic commercial business development.

Countywide Policy 6.3: Support development of business parks.

Countywide Policy 6.4: Support the establishment of a Capital Improvement Program (CIP) for Ravalli County.

Countywide Policy 6.5: Encourage development of training programs to maintain the quality of the workforce for new and existing industries and businesses.

Countywide Policy 6.6: Support a healthy natural resource industry sector.

Countywide Policy 6.7: Support an expanded, more vital, environmentally sustainable tourism and recreation industry.

Countywide Policy 6.8: Encourage expansion of existing businesses and business recruitment efforts, which maintain and create better-paying jobs.

3.7: RESIDENTIAL AND COMMERCIAL DEVELOPMENT

The intent of Countywide Goal 7 is to encourage residents to plan for the development occurring in Ravalli County. It also proposes developing a review process for proposed projects that allows a reasonable prediction of the cost and of the outcome of the approval process.

This goal shall not infringe upon the “Private Property Rights” of any individual or property owner.

BACKGROUND:

One of the significant challenges of rapid growth is the demand for affordable housing and appropriate commercial development.

Residential and commercial development is a viable and significant business sector in Ravalli County, yet proposed areas of development are often objects of conflict and criticism by neighbors.

A comprehensive, efficient and predictable approval procedure for new development can both assist developers in planning for their business, as well as protect neighbors by guaranteeing standards and criteria for any proposed development. Some of the “planning tools” that can be used to achieve this are described in Section 4.

As noted in Section 3.6, page 27, Ravalli County median household income is slightly less than the Montana median household income. At the same time, the county median home value is about one-third higher than the state median home value. To the extent that these factors define a housing affordability gap, this will impact the availability of skilled workers.

COUNTYWIDE GOAL 7:

PLAN FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT

Countywide Policy 7.1: Encourage residential and commercial growth adjacent to existing infrastructure.

Countywide Policy 7.2: Provide information on the use of various voluntary land planning tools (as described in Section 4) to encourage development in those neighborhoods that desire it.

Countywide Policy 7.3: Encourage the development of quality affordable housing within our communities through collaborative efforts by the public and private sectors.

Countywide Policy 7.4: Encourage the continued development of a comprehensive, efficient and predictable review and approval process for proposed new development.

Countywide Policy 7.5: Encourage the use of light fixtures, which minimize light pollution in new development.

Countywide Policy 7.6: Encourage minimizing noise pollution.

Countywide Policy 7.7: Research the designation by appropriate authority, the location of new land uses which impact public health, safety and general welfare.

SECTION 4: IMPLEMENTATION OF THE GROWTH POLICY

As required by the Growth Policy statute, 76-1-601 MCA (Montana Code Annotated), the Ravalli County Planning Board, County Commission and any other governing body must be guided by and give consideration to the general policy and pattern of development set out in the adopted Growth Policy in the:

- Authorization, construction, alteration, or abandonment of public ways, public places, public structures, or public utilities;
- Authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities;
- Adoption of subdivision regulations; and
- Adoption of zoning ordinances or resolutions.

The Growth Policy consists of all eight sections of this document and implementation thereof will require consideration of each. Section 4 is a general description of those key elements that implement the Growth Policy:

- Preferred Land Use Pattern;
- Neighborhood Plans;
- Landowner Petitioned Zoning Districts;
- Subdivision; and
- Intergovernmental Coordination.

A list of potential implementation tools and suggestions is on file with the Ravalli County Planning Department. This list (Implementation Tools to Guide Land Use Change in Ravalli County, 2004) does not mandate their use by Ravalli County throughout the entire county nor does it preclude the use of other tools or strategies to attain Growth Policy goals and policies.

Consideration of any proposed implementation tools can be initiated by action of the County and drafted by county staff. The public will be invited to participate in such considerations. Adoption of implementation tools, such as regulations and neighborhood plans, shall, at a minimum, meet the statutory requirements.

Citizens will have an opportunity for input in the public hearing process; however, the County Commission retains overall authority and responsibility for implementation.

4.1: PREFERRED LAND USE PATTERN

A Preferred Land Use Pattern is a graphic tool to illustrate a desired future land development pattern within an area of the County, based on the adopted goals and policies. It is not intended to serve as a “growth control” device nor does it imitate or replace zoning districts. In contrast, it shows a “direction” for growth to accommodate future needs and demands, while respecting physical and economic factors such as floodplains, critical wildlife habitat and water quality concerns. As such, it seeks to increase the predictability of compatible land development, increase understanding about pragmatic mitigation of development impacts and improve communication of meaningful information during subdivision review process.

A proposed Preferred Land Use Pattern will be initiated by citizen action at the local school district level. Due to its conceptual nature, it will typically be followed by a more detailed Neighborhood Plan.

4.2: NEIGHBORHOOD PLAN

Neighborhood Plans

Neighborhood plans are a voluntary implementation tool that can be used by neighborhoods, communities or regions within the County to further the goals and policies of the Growth Policy. State law allows a growth policy to include one or more neighborhood plans that covers a geographic area within the boundaries of the County and addresses one or more elements of the Growth Policy in more detail. Neighborhood plans must also be consistent with the Growth Policy. Once a neighborhood comes together to create a Neighborhood Plan, then any landowner may, prior to adoption of the plan, elect to have their land excluded from that Neighborhood Plan.

The Ravalli County Growth Policy anticipates that the more detailed planning efforts required for Neighborhood Plans could take place for a specific neighborhood or a larger region within the County. Whether a neighborhood plan covers a community center, school district, or some other geographic area, it will meet the statutory requirements noted above. Neighborhood plans are not limited to using school district boundaries. Neighborhood planning completed at the regional or vicinity level will provide the following for the area in question: more detailed information about the area, further articulated goals and policies, and specific guidance on land use. Once a neighborhood plan has undergone a public hearing process and has been adopted by the Board of County Commissioners, it will amend the Growth Policy.

Neighborhood Planning Process

Planning is successful when it involves members of the public. For neighborhood plans, opportunities for public involvement should be provided throughout the planning process through means appropriate to the community, issues at hand and the scale of the plan.

Open houses, design workshops, presentations to civic groups, neighborhood/landowner association meetings, surveys and distribution of materials with opportunities for written public comment are among the public involvement tools that could be used in future regional or neighborhood planning efforts.

The state law authorizing adoption of the Growth Policy requires public hearings prior to adoption, and they will also be required for adoption of regional or neighborhood plans. A hearing before the Planning Board provides an opportunity for public comment in a more formal setting than the community meetings held during the formulation of a plan. After the public hearing on a Plan, the Planning Board may make changes to it, based on testimony presented at the hearing. The Planning Board shall forward the Plan to the County Commissioners with a recommendation. The Plan forwarded by the Planning Board is heard by the County Commissioners in a legally advertised public hearing. It may be adopted as recommended by the Planning Board; the County Commissioners may make their own amendments, and adopt the amended plan based on public testimony; or the County Commissioners may decide not to adopt the Plan.

4.3A: VOLUNTARY ZONING DISTRICTS

The basic purpose of zoning is to implement the goals, policies and other elements of the Growth Policy. The Growth Policy supports the opportunity for landowners to petition to establish voluntary zoning districts (76-2-101 et seq MCA), consistent with applicable Montana statutes. The Growth Policy recognizes that Voluntary Zoning Districts are defined and controlled by state law.

The petitioners define the size (over 40 acres), boundary and purpose of each proposed zoning district. They may also propose the range of permitted land uses and development standards via a proposed zoning regulation. All new zoning districts must be consistent with the Growth Policy. Existing neighborhood covenants will be recognized as recorded.

4.3B: COUNTY INITIATED ZONING

Zoning districts may be initiated and adopted per 76-2-201 et seq. MCA. The minimum criteria and requirements for establishment of a new zoning district under this Growth Policy, as defined by state law, are available in the Ravalli County Planning Department.

4.4: SUBDIVISION

During the course of subdivision review, the County Planning Board will review a proposed subdivision plat for conformance with the County Subdivision Regulations and Growth Policy.

Recommendations and findings by the County Planning Board, based on this public review process, will include focused discussion of significant impacts and proposed mitigation. The County Commission will then consider the Board's report and take appropriate action. (Refer to Section 5 for more details.)

4.5: RESTRICTIVE COVENANTS

Restrictive covenants have long been used in Ravalli County to impose some degree of control on specific parcels of private property. Existing covenants will not be affected by this growth policy.

4.6: INTERGOVERNMENTAL COORDINATION

The Growth Policy seeks to enhance intergovernmental coordination so that local policies for cities and towns are coordinated with the County and other governmental agencies.

To facilitate this effort, the Growth Policy supports the establishment of a "Ravalli County Roundtable" to include representatives of all public agencies with jurisdictional responsibilities within Ravalli County. The purpose of the Roundtable, to be defined in a Memorandum of Understanding, should be to share information and enhance communication and coordination.

4.7: IMPLEMENTATION TIMETABLE

The implementation strategies contained in the Growth Policy are outlined below and an overall timetable is suggested.

IMPLEMENTATION PRIORITIES:

Based on the information presented in the Growth Policy and in state law, there are several priorities for implementation that are addressed as follows:

1. Review and revise the subdivision regulations to be consistent with the Growth Policy.
(State law and Sections 4 and 5)
2. Initiate intergovernmental coordination activities. *(Section 6)*
 - a. Board of County Commissioners sponsors an annual workshop meeting of local, state and federal agency representatives.
 - b. The County proposes memoranda of understanding and/or other intergovernmental agreements with all incorporated cities and towns to address opportunities for effective coordination of planning.
 - c. The County seeks to coordinate the planning of new schools with county infrastructure.

3. Capital improvements planning. (*Section 7*)
 - a. The County seeks to Create a Capital Improvements Plan (CIP) by 2005, and adopt the CIP within 5 years of adoption of this (amended) version of the Growth Policy.
 - b. Review and update the CIP.
4. Neighborhood Planning as requested by area neighborhoods. (*Section 4*)

IMPLEMENTATION SUGGESTIONS are available in the Ravalli County Planning Department. State law requires that any regulation resulting from this policy would be subject to the standard public hearing process.

The implementation strategy is as follows:

RAVALLI COUNTY GROWTH POLICY IMPLEMENTATION TIMETABLE	
IMPLEMENTATION STRATEGY	TIMETABLE FOR COMPLETION
IMPLEMENTATION PRIORITIES (per Growth Policy or State Law)	
Review and revise the subdivision regulations to be consistent with the Growth Policy.	Ongoing
Initiate intergovernmental coordination activities:	
Board of County Commissioners sponsors an annual workshop meeting of cities, towns and school districts, state and federal agency representatives.	By August, 2004, and annually thereafter.
Capital improvements planning:	
Create a Capital Improvements Plan (CIP).	Begin to develop CIP by 2005, adopt CIP within five years of adoption of the Growth Policy.
Review and update of the CIP.	Annually after CIP is adopted.

RAVALLI COUNTY GROWTH POLICY IMPLEMENTATION TIMETABLE	
IMPLEMENTATION STRATEGY	TIMETABLE FOR COMPLETION
Neighborhood Planning:	
Provide information to communities about neighborhood planning.	Initiate after adoption of the Growth Policy – ongoing task
Local areas request neighborhood planning.	Depends on local interest.
Evaluate the need and desire for Neighborhood Plans. Identify first Neighborhood Planning area.	Within one year of the adoption of this amended Growth Policy, depending on local interest.
Initiate first Neighborhood Plan.	After first Neighborhood Planning area is identified.
COUNTYWIDE IMPLEMENTATION	
Evaluate implementation based on priority, institutional capability and available funding.	Within one year of the adoption of this amended Growth Policy.
Prioritize issues through public meetings with the Planning Board and the Board of County Commissioners.	Within one year of adoption of this amended Growth Policy.
Seek funding for high priority items and set timetable for implementation.	Within one year of adoption of this amended Growth Policy.
Evaluate progress on implementation.	Within 18 months to two years after adoption of this amended Growth Policy.
Prioritize and set timetable for countywide implementation.	At first five-year review of this amended Growth Policy.
Evaluate progress on implementation as part of the five year review of the Growth Policy. Revise implementation strategy and timetable as needed.	As part of this amended Growth Policy review process, which takes place at least every five years.

RAVALLI COUNTY GROWTH POLICY IMPLEMENTATION TIMETABLE	
IMPLEMENTATION STRATEGY	TIMETABLE FOR COMPLETION
LOCAL IMPLEMENTATION (see Implementation Tools and Information to Guide Land Use Change in Ravalli County)	
Initiation and completion of local implementation.	Completed at the local level and dependent on local interest.

4.8: INTERPRETATION OF THE GROWTH POLICY

The 1999 Montana State Legislature mandated that each county draft and adopt a growth policy if that county wished to pursue planning within the county's jurisdiction. Without a growth policy, the county cannot, among other things, adopt a Parks and Recreation Plan or even a regulatory process allowing a rancher or farmer to sell a small parcel without enduring a two to six-month subdivision review process. Growth policies also assist in determining which portions of the county are most appropriate for handling the estimated 1,000 people who currently move to Ravalli County each year.

Given these and other goals contained in the Growth Policy, the Commissioners intend to use the Policy in a manner that benefits the citizens of the County while meeting the mandates of state law. Toward that end, when the Commissioners need the help of the Planning Staff in their interpretation of the Policy, they may instruct the Staff to use the Montana Code Annotated, Ravalli County's adopted resolutions and policies, and other Ravalli County documents to help the Commissioners arrive at a final interpretation of the Policy. The Commission's official declared interpretation of the Policy will be the final and authoritative one.

Montana law (76-1-605 –2 (a) and (b)) specifically states that a *"Growth Policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law. A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter."* Consequently, Ravalli County shall not use the growth policy in a regulatory manner nor shall county staff interpret the document in such a manner.

RAVALLI COUNTY GROWTH POLICY

SECTION 5: SUBDIVISION REVIEW

This section of the Growth Policy describes the criteria and process by which subdivision applications will be reviewed by the County Planning Board and the County Commission. Specifically, it includes a discussion of:

- The primary subdivision review criteria listed in Montana statute (76-3-608(3)(a)), Montana Code Annotated (MCA);
- Evaluation of subdivisions with respect to these criteria (as required by 76-1, Part 6, MCA- Growth Policy); and
- Public hearing process as required.

5.1: PRIMARY SUBDIVISION REVIEW CRITERIA

In concert with all the other sections in the Growth Policy, the criteria defined by 76-3-608 (3)(a) MCA, “Criteria for Local Government Review”, will be utilized to evaluate conformance with the Growth Policy as the basis for subdivision review and findings. The current statute criteria include the proposed subdivision’s effect on:

1. Agriculture,
2. Agricultural water user facilities,
3. Local services,
4. The natural environment,
5. Wildlife and wildlife habitat, and
6. Public health and safety.

Accordingly, under the Ravalli County Growth Policy, these criteria are defined below. Neighboring Plans may supplement these definitions.

1. Agriculture: Use of land for grazing and cropping to produce food, animal feed, and fiber commodities. This includes cultivation and tillage of the soil, dairying, growing and harvesting of agricultural and horticultural commodities, and the raising of livestock, bees, fur-bearing animals and poultry.
2. Agricultural water user facilities: Facilities that provide and distribute water for the production of agricultural products on agricultural land including, but not limited to ditches, canals, pipes and head gates.
3. Local services: Public services or facilities that local government is authorized to provide, including water supply and sewage treatment

facilities, law enforcement, fire protection, emergency services, public health services, educational and transportation systems.

4. Natural environment: Existing physical characteristics and conditions of land, water, air, plant and animal life of an area and their interrelationship. These include soils, geology, topography, vegetation, surface water and drainage, floodplains, ground water, aquifers, noise level, and scenic and historic resources.
5. Wildlife and wildlife habitat: Animals (including mammals, birds, reptiles and fish) that exist in their natural environment. These exclude domesticated species. Habitat consists of areas containing physical or biological features essential to wildlife for breeding, rearing, nesting and/or winter-feeding and forage; and/or essential to the conservation of listed endangered and threatened species under the Endangered Species Act.
6. Public health and safety: Efforts to help protect the public from danger and undue risk or injury.

5.2: SUBDIVISION EVALUATION

Consistent with state statute, proposed subdivisions are evaluated for their effect on the six primary criteria listed above. Such evaluation will be focused on the identification of potential significant, unmitigated, adverse impacts. It is the Planning Board's responsibility to assure a full public review and discussion of such impacts and to seek voluntary agreement by the subdivision applicant to mitigate identified adverse impacts to an acceptable level. Unmitigated significant adverse impacts concerning the primary criteria are grounds for recommended denial of a proposed subdivision.

Impacts to agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety will be evaluated based on a consideration of the types of factors listed below. This list is illustrative and not inclusive. All of the factors may not apply to all subdivisions. Because the presence and value of resources varies across the County, neighborhood plans may include other or more specific evaluation factors.

Evaluation of subdivision proposals against these criteria requires an assessment by Board of County Commissioners of how the public interest is best served. The relative value of each criterion and the significance of potential impacts to it will be weighed in the context of the goals and policies as expressed in the Growth Policy and Neighborhood Plans where appropriate.

1. Effect on agriculture:
 - Impact on operation of adjacent farms, and
 - Impact on prime and important agricultural soils.
2. Effect on agricultural water user facilities:
 - Impact on water availability to agricultural water users, and
 - Impact on owners of water facilities such as access for maintenance, liability to risk of accidents involving trespassers.
3. Effect on local services:
 - Impact on current and planned level of service capacity.
 - Impact on costs of services.
4. Effect on natural environment:
 - Impact on air quality,
 - Impact on ground water quality and quantity,
 - Impact on surface water features (streams, rivers and riparian areas),
 - Impact on wetlands, and
 - Impact on residential ambient exterior light level.
5. Effect on wildlife and wildlife habitat:
 - Impact on critical, significant and important wildlife habitat.
6. Effect on public health and safety:
 - Impact on traffic safety,
 - Impact on emergency vehicle access and response time (police, fire and ambulance),
 - Impact on groundwater quality due to cumulative effect of septic systems and/or wells, and
 - Impact on risk of exposure to natural and/or man-made hazards.

5.3: PUBLIC HEARINGS

Public hearings for subdivisions will be conducted in accordance with all applicable statutory requirements and procedures outlined in the Ravalli County Subdivision Regulations.

RAVALLI COUNTY GROWTH POLICY

SECTION 6: INTERGOVERNMENTAL COORDINATION

Jurisdictional boundaries do not always neatly fit or coincide with the appropriate delivery of services. Therefore, in order to address these challenges and opportunities and to increase governmental responsiveness and effectiveness, Ravalli County acknowledges the need for coordination among all levels of government that function within the county.

Cooperative agreements (sometimes referred to as a Memorandum of Understanding) have been signed by the Board of County Commissioners and various federal, state and local agencies.

Ravalli County desires to pursue programs to enhance and improve intergovernmental coordination on matters that relate to the Growth policy:

- The County Commission may sponsor an annual workshop meeting of local, state and federal agency representatives.
- The County may propose Memoranda of Understanding or other intergovernmental agreements with all incorporated cities and towns to explore effective ways to implement and coordinate the county and city growth policies.
- The County may seek to establish an Interlocal Agreement with the school districts to coordinate the planning of new schools with county infrastructure planning.

RAVALLI COUNTY GROWTH POLICY

SECTION 7: INFRASTRUCTURE AND PUBLIC SERVICES

This section of the Growth Policy is intended to describe a strategy for the planning, development, maintenance and repair of public infrastructure. This includes roads, bridges, and county buildings. Also, the section discusses policies concerning private infrastructure designed to serve residents: water systems, wastewater treatment facilities/sewer systems, roads and bridges. (Refer to Section 2.)

According to 76-1-605 MCA, after adoption of the Growth Policy, the County Commission and any other governing body subject to this statute “...*must be guided by and give consideration to the general policy and pattern of development set out in the growth policy in the:*

- (a) authorization, construction, alteration, or abandonment of public ways, public places, public structures, or public utilities;*
- (b) authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities; and*
- (c) adoption of zoning ordinances or resolutions.”*

7.1: CAPITAL IMPROVEMENTS PLAN

The Ravalli County Commissioners desire to create a comprehensive Capital Improvements Plan (CIP) through meetings with department heads and elected officials. CIP’s generally address County responsibilities for streets, bridges, roads, parks and recreation facilities, and county buildings. The CIP will describe needed facilities, resources required to build and maintain them, and a schedule for construction.

RAVALLI COUNTY GROWTH POLICY

SECTION 8: AMENDING THE GROWTH POLICY

8.1: PLANNING BOARD ROLE AND RESPONSIBILITY

The Ravalli County Planning Board is responsible for recommendations to the County Commission on all proposed changes or amendments of the Growth Policy.

Such proposed changes or amendments may be initiated by private individuals, and agencies, in response to a particular issue or concern. The Planning Board may utilize the public for additional advice and input. The Planning Board is also obligated to make a review of the entire Growth Policy at least every five years according to 76-1-601 MCA and report its findings and recommendations to the County Commission for their consideration and action. The Board of County Commissioners may request more frequent review of the Growth Policy.

8.2: AMENDMENT OF THE GROWTH POLICY

Amendments/deletions to the Growth Policy may occur after careful review, full public disclosure and participation, public hearings, and adoption of findings of fact in support of the revision(s). The amendment process must follow applicable state law, MCA 76-1-604 (3)(a). The term “amendments” will apply to both text and maps or diagram revisions. All proposed amendments will be considered by the Planning Board and the Board of County Commissioners.

It is the burden of the party requesting the amendment to prove that the change constitutes an improvement to the Growth Policy.

After the Planning Board has adopted a resolution of recommendation(s), the proposed amendment(s) go to the County Commission. The Board of County Commissioners will initiate a public review process, set a public hearing(s), make findings of fact and adopt a resolution to amend the Growth Policy, if that is their decision.

8.3: TIMETABLE AND REVIEW PROCESS

At least once every five years after adoption, the County Planning Board will review the Growth Policy to determine if revisions are necessary, as required by 76-1-601 (3)(f)(iii) MCA. The basis for such determining whether review and/or revision of the Growth Policy is needed will include an assessment of the following issues:

- Changes in the legal framework regarding the Growth Policy or its implementation;

- Significant changes in existing trends and conditions and projected trends;
- Changes in the circumstances upon which the goals and objectives are based;
- Changes in community goals;
- Plausibility and ability of the county to achieve stated goals and policies;
- Completion of or deviation from implementation strategies;
- Public input suggesting the need to make changes; and
- Knowledge of specific and identifiable amendments that would improve the Growth Policy's usefulness, so that it better serves the public.

It is the desire of the Planning Board that volunteer citizen groups, along with other members of the public and public special interest groups, remain involved and continue to provide input and support to the Planning Board.

Updates to the Growth Policy may be recommended for public review by the Planning Staff after consultation with the Planning Board and Board of County Commissioners.

8.4: SUNSET PROVISION

The provisions of this Ravalli County Growth Policy will expire on the day after Certification of the 2004 General Election unless said policy is approved by a majority of the voters voting in an advisory capacity.

RAVALLI COUNTY GROWTH POLICY

GLOSSARY OF PLANNING TERMS

(NOTE: The following general definitions are offered only to assist the reader's understanding, and do not replace more specific definitions.)

Affordable Housing:	Housing which has a sales price or rent within the means of a low or moderate income household as defined by local, state or federal legislation. The typical "means threshold" is 30% of median household income for housing costs, including utilities.
Agriculture:	Use of land for grazing and cropping to produce food, animal feed, and fiber commodities. This includes cultivation and tillage of the soil, dairying, growing and harvesting of agricultural, forest products and horticultural commodities, and the raising of livestock, bees, fur-bearing animals and poultry.
Agricultural land, prime:	Land used actively in the production of food, fiber or livestock; listed as Prime Farmland Soils in the Natural Resources Conservation Service (NRCS) soil survey.
Agricultural water user facilities:	Facilities that provide water for agricultural land or that provide water for the production of agricultural products including, but not limited to ditches, canals, pipes and head gates.
Agricultural zoning district:	A zoning district established to protect agriculture from negative impacts of adjoining development, while meeting all legal requirements for creation of a district. Usually initiated by petition of interested landowners.
Air quality:	A measure of current air character in a geographic area in which levels of all criteria air pollutants meet the health-based primary standard (national ambient air quality standard as defined by EPA) for the pollutant.
Buffer (buffer strip):	Open spaces, landscaping, berms, or any combination used to physically separate or screen one land use or property from another so as to shield noise, unwanted light or other nuisances.

Capital facilities:	Land and structures used by the public including fire stations, parks and schools, etc.; also called public facilities.
Capital Improvement Program:	A schedule and budget for future capital improvements (building or acquisition) for roads, utilities and other capital facilities, to be implemented over a specific time period- usually five years.
Cluster development:	<p>Generally, a land development that concentrates buildings on a portion of the site in order to leave the remainder undeveloped and usable for agriculture, open space and/or natural resource protection.</p> <p>Per Montana SB 479, “<i>cluster development means a subdivision with lots clustered in a group or five or more lots that is designed to concentrate building sites on smaller lots in order to reduce capital and maintenance costs for infrastructure through the use of concentrated public services and utilities, while allowing other lands to remain undeveloped.</i>”</p>
Compatible:	Capable of existing together in harmony and/or avoidance of nuisance impacts.
Concurrency:	Adequate public facilities and services are available when the impacts of development occur.
Conservation easement:	<p>“...an easement or restriction, running with the land and assignable, whereby an owner of land voluntarily relinquishes to the holder of such easement or restriction any and all rights to construct improvements upon the land or the substantial alteration of the natural character of the land, except for this right is expressly reserved in the instruments evidencing the easement or restriction.”</p> <p>- 76-6-104, MCA.</p>
Covenant:	A written contract between private parties attached in the deed to a property. Often referred to as “restrictive covenant”, a covenant places a restriction on the use of a lot or parcel of land, is binding on subsequent owners, and is enforced by the landowners involved.

Critical wildlife habitat:	Areas containing physical or biological features essential to the conservation of listed and endangered species under the Endangered Species Act.
Density Bonus:	The incentive of added development potential (more dwelling units) in exchange for defined benefits in a proposed project. The exact amount of the bonus is typically defined in adopted zoning regulations.
Development:	The process of improving land, subdividing land, or building structures on land for human use.
Development rights:	The right to develop property, which may be sold, dedicated or transferred. Under transfer of development rights programs, the property owner may keep title to the property after development rights have been transferred and may continue to use the land for non-development purposes such as agriculture.
Easement:	The right of a person, government agency or public utility company to use public or private land owned by another for a specific purpose.
Flood Fringe:	That portion of the floodplain outside the limits of the floodway.
Floodplain:	The area generally adjoining a stream that would be covered by water of a flood event, except for designated shallow flooding areas that receive less than one foot of water per occurrence.
Floodway:	The channel of a stream and the adjacent overbank areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than one-half foot.
Growth Policy:	<p>“...an official public document adopted and used by a local government as a general guide for development and conservation decisions. It is not a regulation; rather, it is an official statement of public policy to guide growth and change.” –Montana’s Growth Policy Resource Book, Montana Department of Commerce, June 2000.</p> <p>“ ‘Growth Policy’ means and is synonymous with, a comprehensive development plan, master plan, or comprehensive plan that meets the requirements of 76-1-601.”- 76-1-103 MCA.</p>

Incompatible Development:	Opposite of compatible development. (See definition of compatible above.)
Incubator:	A strategy or facility intended to maintain an environment favorable for the inception and/or maintenance of desired new businesses.
Infrastructure:	Basic improvements that support and sustain development. In Ravalli County, public infrastructure includes roads, bridges, the county airport and county buildings. Private infrastructure includes water supply/distribution and wastewater treatment systems.
Interlocal Agreement:	A written agreement between or among local public agencies to describe mutual objectives and to agree to cooperate in efforts to accomplish such objectives.
Light pollution:	Usually defined as “unwanted” light that illuminates the night sky as a result of outdoor unshielded light fixtures.
Local services:	Public services or facilities that local government is authorized to provide, including water supply and sewage treatment facilities, law enforcement, fire protection, emergency services, public health services, educational and transportation systems.
Local Water Quality District:	<i>“...an area established with definite boundaries for the purpose of protecting, preserving, and improving the quality of surface water and ground water in the district as authorized by this part.” (7-13-4502 MCA)</i>
Major subdivision:	A subdivision with more than five parcels/lots.
Memorandum of Agreement:	A formal written statement between or among public agencies defining mutual objectives and describing actions to work toward achievement of such objectives.
Minor subdivision:	A subdivision with five or less parcels/lots.
Mitigation:	Measures taken to eliminate or minimize impacts of development activities.

**Montana Code Annotated
(MCA):**

The laws of the State of Montana. (For additional information, contact Montana Legislative Services, Room 110 Capitol, P.O. Box 201706, Helena, MT 59601-1706.)

**Natural Wildlife
Passages:**

Natural pathways or corridors used by wildlife to reach forage or to travel throughout a natural range.

Needs Assessment:

As used in this Growth Policy, the 2002 Ravalli County Economic Needs Assessment written by Dr. Larry Swanson, O’Conner Center for the Rocky Mountain West, University of Montana, Missoula.

Neighborhood Plan:

A growth policy for a particular neighborhood or area that provides more specificity and guidelines for the development and use of property than the County Growth Policy. It can be adopted as part of (and in conformance with) the Growth Policy pursuant to 79-1 Part 6, MCA-Growth Policy. NPs are policies that describe goals and preferred actions. They are not regulatory. For example, NPs can provide guidance on land use, but cannot regulate how land is developed. If a community wants regulations, it may consider subdivision regulations or voluntary zoning districts.

As used in this Growth Policy, a Neighborhood Plan will be used on a voluntary basis only.

Nexus and proportionality: Refers to the need for a rational and defensible link or connection between the imposition of off-site exaction fees and the responsibility for such impacts.

Noise Pollution:

Unwanted sounds generated by human activities that could cause severe annoyance, damage to hearing, and/or disruption of normal activities. (Preferred noise level standards are defined by the U.S. Environmental Protection Agency and Department of Housing & Urban Development.)

**Off-premise Outdoor
Advertising Sign
Ordinance:**

Ravalli County Ordinance #12.

Open Land:	Privately owned undeveloped Land that is free of housing or commercial development. Land that is not excessively encumbered with human structures is in the condition of being open land. The term “open land”, as used in this document is a condition that exists naturally, it is not a political or legal classification of land.
Open space:	Public Land. County, State or Federal land or water of any size that is free of development, clutter or congestion. Public Land that is not excessively encumbered with human structures is in the condition of having open space. The term “open space”, as used in this document, refers only to public land in such a condition.
Performance standards:	Criteria that must be met by development to limit a particular defined impact; i.e. maximum daily traffic.
Plan:	In general terms, a formulation of a program of action to achieve an end.
Policy:	As used in this Growth Policy, a statement that describes how decision-makers will make decisions and/or implement the goals contained herein.
Property rights, Private:	<i>“Property does not have rights. People have rights. The right to enjoy property without unlawful deprivation, no less than the right to speak or the right to travel, is in truth a ‘personal’ right, whether the ‘property’ in question is a welfare check, a home, or a savings account. In fact, a fundamental interdependence exists between the personal right to liberty and the personal right in property. Neither could have meaning without the other. That rights in property are basic civil rights has long been recognized.”- U.S. Supreme Court, Lynch v. Household Fin. Corp., 405 US 538, 552 (1972).</i>
Provision of Adequate Facilities:	Determination by the County Commission of the sufficiency and appropriateness of public facilities.

Public health and safety:	A condition of optimal well being, free from danger, risk, or injury, for a community at large, or for all people, not merely for the welfare of a specific individual or a small class of persons. (Montana’s Growth Policy Resource Book.)
Right to Farm:	Measures to reduce the loss to the State of Montana of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance (See 76-2-901 MCA.)
Riparian areas:	Land that is traversed or bounded by a natural watercourse (river, stream, lake) that includes the vegetative areas that are dependent on the water.
Rural Improvement District (R.I.D):	A special taxing district established by action of the County Commission after due process and public hearing for the purpose of improving roads or other public facilities. The Commission must determine that there is a fair and equitable relationship (nexus) between the distribution of costs and benefits.
Setback:	The horizontal distance between the property line, or other feature (such as a high water line), and any structure.
Strip development:	Continuous linear commercial development along a highway with a series of individual accesses and inefficient use of land and parking. This creates congestion and safety problems and limits highway traffic capacity.
Subdivided land:	Land that has been divided under review of the Ravalli County Subdivision Regulations into defined lots, either improved or unimproved, which can be separately conveyed by sale or lease, and which can be altered or developed.
Subdivision:	<p>Generally, the division of land into two or more lots, parcels or plats for the purpose of sale, lease or development.</p> <p>Per 76-3-103 (15) MCA: “<i>Subdivision means a division of land or land so divided that it creates one or more parcels containing less than 160 acres that cannot be described as a one-quarter aliquot part of a United States government section, exclusive of public roadways, in order that the title</i></p>

to or possession of the parcels may be sold, rented, leased, or otherwise conveyed and includes any resubdivision and further includes a condominium or area, regardless of its size, that provides or will provide multiple space for recreational camping vehicles or mobile homes”.

Sustainable use:	Using a resource so that the resource is not permanently depleted or damaged.
Tributary:	A perennial, naturally occurring stream that contributes to other tributaries, within a drainage basin.
Unsubdivided land:	Land that has not been divided under review of the subdivision regulations. Includes land divided through the use of certificates of survey, exemptions, and aliquot parts.
Voluntary zoning district:	<p>A zoning district adopted pursuant to 76-2-101, MCA. Initiated by petition pursuant to State Regulations typically described as “voluntary zoning”. VZDs are regulatory. VZDs require that a perimeter of the district be established and that a development pattern for the district be adopted. They focus on land use and the design and intensity of development. The standards set forth in a VZD can be enforced.</p> <p>See “zoning district (101)” and “zoning district (201)”</p>
Water quality:	The current character of the water in a geographic area in which levels of all pollutants are less than the maximum contaminant levels as defined by EPA.
Wetland:	The land transition between water and land systems where the water table is usually at or near the surface; or the land is covered by shallow water, including swamps, marshes, bogs, riparian areas and vernal pools.
Wildland interface:	The introduction of residential, recreational and commercial uses into what was exclusively forest or wildland vegetation areas, through subdivision or development.
Wildlife:	Animals (including mammals, birds, reptile and fish) that exist in their natural environment. These exclude domesticated species.

Wildlife habitat:	Areas containing physical or biological features essential to wildlife for breeding, rearing, nesting and/or winter-feeding and forage.
Zoning district (“101”):	A zoning district adopted pursuant to MCA 76-2-101 through 113. It is initiated by petition of at least 60% of the affected landowners (freeholders). A protest of property owners that own 50% of the land within the district will prevent the Board of County Commissioners from creating the district. This type of zoning can be put into place regardless of whether or not there is a growth policy in place. Zoning districts adopted under this section of the MCA may also be referred to as voluntary zoning districts, planning and zoning districts, citizen-petitioned zoning districts and Part 1 zoning districts.
Zoning district (“201”):	A zoning district adopted pursuant to MCA 76-2-201 through 228. Under this portion of the statute, the Board of County Commissioners may by resolution establish zoning districts and regulations for all or a part of the jurisdictional area. Any zoning regulations must be made in accordance with the growth policy. Zoning districts adopted under this section of the MCA may also be referred to as County zoning districts and Part 2 zoning districts.

RECORDED: 01/02/2003 2:38 RESOLUTION

CLERK AND RECORDER BY: Nedra P. Taylor

FEE: \$0.00

**RAVALLI COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 1307

RESOLUTION ADOPTING GROWTH POLICY

WHEREAS, following recommendation for adoption of the Ravalli County Growth Policy by the Planning Board, the Ravalli County Board of County Commissioners adopted Resolution No. 1306, Resolution of Intention to Adopt Growth Policy, on the 30th day of December, 2002; and

WHEREAS, the Board of County Commissioners are the elected representatives of the citizens of Ravalli County; and

WHEREAS, it is in the best interests of the people of Ravalli County for the Board of County Commissioners to adopt the Ravalli County Growth Policy,

NOW, THEREFORE, BE IT RESOLVED that the Ravalli County Board of County Commissioners, pursuant to §76-1-604, MCA, hereby adopts the attached Ravalli County Growth Policy.

PASSED AND ADOPTED this 31st day of December, 2002.

RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

Alan Thompson
Alan Thompson, Chairman

May Vote
Betty T. Lund, Member

John M. Atthowe, Jr.
John M. Atthowe, Jr., Member

Nedra P. Taylor
Attest: Nedra Taylor, Clerk & Recorder



Nedra P. Taylor CLERK AND RECORDER BY: *Marilyn Story* FEE: \$0.00

**RAVALLI COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 1325

A RESOLUTION TO AMEND THE RAVALLI COUNTY GROWTH POLICY

WHEREAS, a Growth Policy has been prepared by the Ravalli County Planning Board after a series of meetings which encompassed over fifty public meetings and utilized the skills and time in excess of 10,000 hours donated by Ravalli County residents; and

WHEREAS, the Ravalli County Planning Board has, after following proper legal procedures and pursuant to §76-1-603, MCA, recommended approval of the Ravalli County Growth Policy to the Board of County Commissioners as the governing body of Ravalli County; and

WHEREAS, the Ravalli County Growth Policy attached hereto is founded upon and reflects the written and oral comments of the public as solicited over the last 18 months, and is found to be in the best interests of the public health, safety, and welfare of County residents; and

WHEREAS, the Ravalli County Commissioners conducted a public hearing on April 1, 2003 and unanimously voted to adopt Resolution of Intent Number 1324 amending the Growth Policy to include a new subsection 9.4;

NOW, THEREFORE, BE IT RESOLVED that the Ravalli County Board of County Commissioners, pursuant to §76-1-604, MCA, hereby adopts this Resolution to Amend the Ravalli County Growth Policy to add a new subsection 9.4 as follows:

9.4: Sunset Provision: The provisions of this Ravalli County Growth Policy will expire on the day after the 2004 General Election unless said policy is approved by a majority of the voters voting in an advisory capacity in the general election of November 2, 2004.

PASSED AND ADOPTED this 7th day of April, 2003.

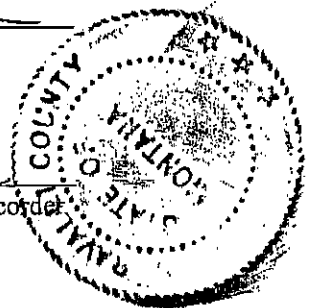
RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

Betty T. Lund
Betty T. Lund, Chairman

Alan Thompson
Alan Thompson, Member

Greg Chilcott
Greg Chilcott, Member

Nedra P. Taylor
Attest: Nedra Taylor, Clerk & Recorder



Return: Commissioners

Nedra P. Taylor CLERK AND RECORDER BY *Kellie Martin* FEE: \$0.00

**RAVALLI COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NUMBER 1540

RESOLUTION ADOPTING AMENDMENTS TO THE GROWTH POLICY

WHEREAS, following recommendations for adoption of amendments to the Ravalli County Growth Policy by the Planning Board, the Board of County Commissioners conducted a public hearing on proposed amendments to the Growth Policy on the 10th day of August, 2004; and

WHEREAS, the Ravalli County Planning Board conducted several public hearings on possible amendments to the Growth Policy, with the most recent hearing on July 28, 2004; and

WHEREAS, the Ravalli County Board of County Commissioners conducted public hearings and public meetings on amendments to the Growth Policy on several dates during the previous eight months, culminating in a public hearing on August 10, 2004 and a public meeting on August 17, 2004; and

WHEREAS, the Ravalli County Board of County Commissioners adopted Resolution of Intent Number 1539, which proposed amendments to the Growth Policy, on August 17, 2004; and

WHEREAS, the Board of County Commissioners are the elected representatives of the citizens of Ravalli County; and

WHEREAS, it is in the best interests of the people of Ravalli County for the Board of County Commissioners to adopt the amendments to the Ravalli County Growth Policy;

NOW, THEREFORE, BE IT RESOLVED that the Ravalli County Board of County Commissioners hereby adopts amendments to the Ravalli County Growth Policy as outlined in the meeting of August 17, 2004 *(a copy of the document will be available from the Ravalli County Planning Department following printing in the next 10 working days).*

PASSED AND ADOPTED this 18th day of August, 2004.

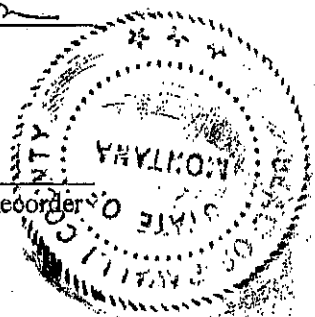
RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

Betty T. Lund
Betty T. Lund, Chairman

Alan Thompson
Alan Thompson, Member

Greg Chilcott
Greg Chilcott, Member

Nedra P. Taylor
Attest: Nedra Taylor, Clerk & Recorder



Per: Commissioners Office